

AFFIDAVIT OF CHIEF JOE D. WILLIAMS

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA)
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THE AFFIANT, Joe D. Williams, of lawful age, being first duly sworn, deposes and states as follows:

1. I have been employed as a law enforcement officer with the Oklahoma Highway Patrol (“OHP”) since 1995. I currently serve as the Chief of OHP.

2. An OHP investigation was conducted with regards to a use of force involving OHP Troopers Ethan Mulkey (“Mulkey”) and Alex Wilson on May 28, 2022. After investigating the law enforcement encounter, OHP found the use of force was lawful and within department policy. The findings of OHP do not support the claims asserted in *Michael Birchfield II v. Ethan Mulkey, et al.* (USDC Northern 24-cv-00256).

3. An OHP investigation was conducted with regards to a pursuit and use of force involving OHP Troopers Jeremy Rodgers, Cody Mcelyea, and Mulkey on October 21, 2022. After investigating the law enforcement encounter, OHP found the pursuit and use of force were lawful and within department policy. The findings of OHP do not support the claims asserted in *Chris Clack v. DPS, et al.* (Tulsa CJ-2024-02669).

4. On September 26, 2022, Mulkey issued two citations to a motorist after originally issuing her a warning for the infractions. The motorist paid the citations in full on June 29, 2023. OHP's evidence of the law enforcement encounter does not support the claims asserted in *Brandi Forester-Slaton v. Ethan Mulkey and Tim Tipton* (USDC Northern 24-cv-00457).

5. An OHP investigation was conducted with regards to a use of force involving Mulkey on August 30, 2022 (known as UOF 22-0122). Although Mulkey's captain originally critiqued the law enforcement encounter, a thorough review by OHP's Director of Training, one

of OHP's use of force and de-escalation experts, found Mulkey's use of force to be lawful and within department policy. OHP Chief's Office concurred with the findings of OHP's Director of Training. The findings of OHP do not support the claims asserted in *Milton David Collins and Ericka Collins v. Dylan Mulkey, et al.* (USDC Northern 24-cv-0144).

6. OHP discovered then-Captain Mark Roach ("Roach") improperly interfered with the prosecution of a personal friend of Roach who Mulkey arrested on July 24, 2022, for driving under the influence. This interference resulted in the dismissal of criminal charges. A Command Staff Review of OHP's investigation (known as INQ22-0011) found Roach had committed multiple OHP policy violations and violations of Oklahoma Ethics Rules by intervening on behalf of the motorist. Roach was given notice of a demotion, but he elected to retire in lieu of demotion.

7. Roach currently has a pending lawsuit against OHP, the Oklahoma Department of Public Safety, and Commissioner Tim Tipton in Tulsa County Case CJ-2024-03406.

8. OHP has no cases resulting in a finding of untruthfulness by Mulkey. Further, OHP is aware of no matters involving Mulkey which would be subject to disclosure under *Brady-Giglio*.

Further Affiant sayeth not.

Col. Joe D. Williams #3
Chief Joe D. Williams, #3
Oklahoma Highway Patrol

Subscribed and sworn to before me this 13th day of May 2025.

Kimberly Damm
NOTARY PUBLIC

My commission expires: 02/01/2028

My commission number: 12000963

